

ORDERS

Todd County Fiscal Court

March 27, 2009

9:00 a.m.

The Fiscal Court in and for Todd County met in regular session at the Courthouse at 9:00 a.m. and the following proceedings were had. Present and presiding, Honorable Arthur W. Green, County Judge Executive. The following gentlemen, Magistrates, were present:

Roy Addison, Howard Gorrell, Bobby Rager, Brent Spurlin and Jimmy Turner

The Court opened with the pledge of allegiance, followed by a prayer by Squire Brent Spurlin.

- Ryan Craig of the Todd County Standard informed the Court that there is a loop hole in the law that prohibits Counties from publishing Ordinances in summary form. He stated that the Kentucky Press Association Board of Directors is trying to get this changed as it is not required for cities.
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- Upon motion of Squire Rager, seconded by Squire Spurlin, it is hereby ordered to approve the March 13th minutes and file.

Passed on a voice vote

- Greg Meredith, Justin Young and Tim Sharp from the Department of Transportation were present to present the Todd County 2009-2010 Fiscal Year Rural Secondary Program to the Court. The report shows Todd County's allotment will be \$890,647.00.
- Upon the motion of Squire Rager, seconded by Squire Addison, it is hereby ordered to approve the Todd County 2009-2010 Fiscal Year Rural Secondary Program.

Passed on a voice vote

- Tammy Robertson, Todd County Treasurer, informed the Court that the transfer for carcass removal should only be \$2312.00 rather than \$4355.00 that was printed.
- Upon motion of Squire Addison, seconded by Squire Gorrell, it is hereby ordered to approve the March 27th transfers.

Passed on a voice vote

- Accounts Payable was presented to the court for review and it is hereby ordered to file and pay all bills, subject to state audit with the addition of Miller and Son Heating and Cooling for \$586.00.
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- Judge Green presented the Court with a letter from Pennyrite Narcotics asking for Todd County to contribute \$2601.20 for the 2009-2010 year.

- Upon motion Squire Turner, seconded by Squire Spurlin, it is hereby ordered to approve a tentative yes to the Pennyrile Narcotics but will not be able to commit until our budget is complete.

Passed on a voice vote

- Upon motion of Squire Spurlin, seconded by Squire Turner, it is hereby ordered to approve Ordinance 09-04, amendment #3, on second reading, to amend the budget to increase general fund and refund to the Sheriff's Office \$2242.13.

Voting aye; Squires Addison, Gorrell, Rager, Turner, and Spurlin

Passed on 2nd reading

- Upon motion of Squire Spurlin, seconded by Squire Gorrell, it is hereby ordered to approve adding a check to the Sheriff for \$2242.13 for flood plain taxes to accounts payable.

Passed on a voice vote

- Todd County Jailer, Greg Allen, reported that bids were opened Wednesday at 4pm and that Canteen was the only bidder. Mr. Allen stated that the jail would save approximately \$30,000.00 per year going with Canteen. The Court asked Mr. Allen to have Canteen prepare a contract for Mac Johns, County Attorney to review.
- Mr. Allen also presented the Court with a healthcare proposal from Advanced Correctional Healthcare.
- Squire Rager questioned the Jailer in regard to his equipment repair line in the tentative Jail Budget increasing from \$2500.00 to \$25,000.00. Squire Rager also noted that the tentative Jail Budget reflected an increase in salaries and a decrease in overtime.
- Upon motion of Squire Turner, seconded by Squire Rager, it is hereby ordered to approve the Jail's tentative budget for fiscal year 2009-2010.

Passed on a voice vote

- County Attorney, Mac Johns, noted that on January 1, judicial employees had 2 options regarding salary; 1) was to take a furlough for several weeks without pay. 2) Was to take a reduction in pay of approximately 25%. Mr. Johns stated that his employees opted for the reduction in salary.
 - Mr. Johns also noted that Kentucky legislature approved House Bill 262, collection of delinquent taxes, to enhance consumer protection. This changes tax bills from being sold to simply being transferred to the Clerk's office. Todd County will not be able to change this year due to the software company saying that they cannot/will not upgrade Clerk's program.
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- Todd County Coroner, Gerald Barnett, informed the Court that in the last month, there have been 4 motor vehicle fatalities, 2 suicides and 1 natural death. Mr. Barnett also expressed concern over 4 State Troopers being at the home of the natural death victim when they were not needed or wanted, due to failure of Sheriff to respond. Mr. Barnett asked for some type of protocol where police are not needed for a natural death. Mr.

Barnett said that an ambulance cannot enter the premises where a death has been reported unless they have a police officer there to go in first.

- Todd County Clerk, Billy Fowler, stated that his office has received complaints about the County Garage being a polling place because citizens must stand outside even in inclement weather. Mr. Fowler reported that they were looking at moving to Todd County Central High School.
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- Judge Green presented the Court with the Sheriff's 2007 settlement report and the report of audit for 2007. Mr. Green noted that on page 17 of the audit report it noted lack of segregation duties, which he added was a problem for all small offices. Page 15 of the settlement also noted lack of segregation duties and page 16 noted that the Sheriff's Office may have to pay an overtime request. It has been turned over to the State for a ruling on the overtime, which could impact the Court's budget. Judge Green also noted that the auditors are still working on the 2008 fee budget.
 - Judge Green stated that the Flood Plains request in the Sheriff's letter has been taken care of at today's meeting.
 - Judge Green also stated that the Sheriff requested that the Court accept and file subject to State audit, his 4th quarter report from 2008.
 - Squire Rager expressed concern that the Sheriff is not being held accountable for not sticking to the Court approved budget. Mr. Johns told Mr. Rager that he would let him know when the next meeting of the Grand Jury is so that Mr. Rager can go and try to get an indictment against the Sheriff. Mr. Johns also noted that the auditors are performing the audit inside the Sheriff's office and it appears they think the Sheriff is getting dumped on by the Court, however the citizens of Todd County know what the Sheriff is really up to when he refuses to answer calls as mentioned earlier with the natural death. Mr. Johns added that it is sad that an elected official will not get up and go when a family calls for help.
 - Squire Spurlin spoke up and said that he believed that everyone agrees with Mr. Johns and asks how one is supposed to be held accountable for these actions. Mr. Spurlin was concerned with the 418 hours of overtime that the Sheriff's office did not pay an employee. Mr. Johns noted that there was not a line in the Sheriff's budget for overtime in which Mr. Spurlin replied that the Sheriff should have had his budget amended. Mr. Spurlin concluded with saying that the Sheriff must stay within his budget because every time he over spends, it is left to the County to take care of.
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- Judge Green reported that sealed bids were opened yesterday afternoon for heart monitors for the Ambulance Service. He noted that 2 bids were received, one from Bound tree for \$31,458.00 for 2 monitors and the other from Jennie Stuart Medical Center for \$28,781.86 for 2 monitors.
 - Upon motion of Squire Turner, seconded by Squire Addison, it is hereby ordered to approve the Jennie Stuart Medical Center bid for \$28,781.86 for 2 heart monitors.

Passed on a voice vote

- Judge Green also reported that he and Emergency Management are still meeting with FEMA in regard to bills for the ice storm disaster.
 - Judge Green also noted that there will be a Local Emergency Planning Committee meeting next Thursday.
 - Judge Green informed the Court that we are in the severe storm weather months. He also noted that anytime we have the potential for bad weather, we may have a conference call at Dispatch and we monitor the reports. Mr. Green stated that a grant is pending for the phone notification system.
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- Squire Spurlin asked for an estimate as to how much debris the State has picked up so far. Judge Green stated that the State currently does not have an estimate. Judge Green added that he is working with PADD to possibly hire individuals to assist in debris clean up.
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- Road Forman, Eddie Mitchell asked the Court for 3-4 more radios for the 2 pick-up trucks and the 2 big trucks noting that during the ice storm they were without any type of communication equipment. The Court asked that Mr. Mitchell get prices and report back to the Court.
 - Judge Green noted that he has been receiving complaints of large loads tearing up County roads. He noted that the Court could order to require owners of this equipment to purchase bonds to repair the road. County Attorney was asked to investigate possible actions for the Court.
 - Judge Green also asked that he be able to place an ad for bids on a total patcher. The Court agreed.
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- Judge Green noted that the proposal to bid for residential trash pick up is almost ready.
 - Judge Green also mentioned that the roll off truck is a lease and asks the Court to look into stopping the lease and purchasing a truck to save the County money. He also noted that he would do an alternate waste removal bid to see what the companies would charge to do the hauling as well.
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- Judge Green informed the Court that the Presentation to Court Facilities Standards Committee will be meeting on April 3rd at 10am in Frankfort.
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- Judge Green informed the Court that payroll tax letter were sent out on February 25th and presented the Court with a list of names that have not responded. County Attorney, Mac Johns, said that he would send out a letter to them informing them of the Ordinance and that legal action would follow if they did not contact the Treasurer's Office within 10 days.
 - Judge Green also noted that the 1st batch of net profit letters had been sent out and that 36 of the 86 had already responded. He also stated that the next batch of letters should go out today or Monday.
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- Judge Green noted that the County could participate in the summer youth program and this would allow youth to work at the park and various places in the County.
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- Judge Green informed the Court that he is looking into mitigation grants for the storm declaration.
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- Judge Green noted that all papers had been filed with the Department of Insurance to increase our tax rate and it is in place to become effective July 1st.
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- Judge Green presented the Court with a request from the Senior Citizens Center for \$2500.00 to go toward the purchase of another van. Due to budget restraints, the Court by consensus has chosen not to participate in this request this year.
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- Squire Spurlin noted that several citizens had expressed their thanks to the Jail crew for cleaning debris from the Pea Ridge Cemetery.
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- Upon motion of Squire Spurlin, seconded by Squire Gorrell, it is hereby ordered to adjourn.
- Meeting adjourned at 10:54 a.m.

Todd County Judge Executive
Arthur w. Green